

SUPREME COURT STATE OF NEW YORK	<b>APPROVED</b>	COMMERCIAL DIVISION SUPPORT OFFICE	<input checked="" type="checkbox"/> MOT <input type="checkbox"/> X-MOT	CLERK'S INITIALS
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At the Commercial Division, Part \_\_ of the  
Supreme Court of the State of New York,  
held in and for the County of  
New York, located at 60 Centre Street, 019421  
New York, New York, at the  
Courthouse in the City and State  
of New York, this 4<sup>th</sup> day of  
August, 2006,

PRESENT:

Hon. C. E. Ramos  
Justice

ORIGINAL

MOTION SEQUENCE #001

Application of

THE MAMMA MIA! USA TOUR 2  
LIMITED PARTNERSHIP, a New York  
Limited Partnership,

Petitioner,

Pursuant to NY CPLR § 7503 and  
The United States Arbitration Act, 9 U.S.C. § 1 et seq.  
For An Order and Judgment Compelling Respondents  
To Arbitrate and Enjoining Respondents From  
Pursuing A Civil Action,

-against-

THEATRICAL ARTS INTERNATIONAL, INC. and  
THEATRICAL ARTS INTERNATIONAL  
FOUNDATION, California corporations,

Respondents.

Index No. 602724/06ORDER TO SHOW CAUSE

VAL 3

INDEX NUMBER 602724	YEAR 2006
6 RJ1 FEE	95.00
15 MOTIONS	45.00
TOTAL	140.00
CHECK	95.00
CASH	45.00

CONS CASHIER	DATE	TIME	TERM
30397 1030	06 AUG 03	3:43 PM	60-3

Upon reading and filing of the annexed Verified Petition to Compel Arbitration and  
Enjoin Litigation dated August 2, 2006, with exhibits annexed, the Emergency Affirmation of Al  
J. Daniel, Jr., Esq. dated August 3, 2006, and the accompanying Memorandum of Law in  
Support of Petition to Compel Arbitration and Enjoin Litigation, seeking to compel Respondents  
to arbitrate Petitioner's Demand for Arbitration served upon them and filed with the American

Arbitration Association on June 27, 2006, pursuant to ¶ 17 of the Booking Agreement signed by the parties, and to enjoin Respondents from maintaining or continuing a civil action commenced by Respondent Theatrical Arts International, Inc. against Petitioner regarding the same subject matter, which action was purportedly served upon Petitioner on August 2, 2006,

LET Respondents, or their attorneys, show cause at the Commercial Division, Room 238 of the Supreme Court of the State of New York, County of New York, at 60 Centre Street, New York, New York, on the 10<sup>th</sup> day of August 2006, at 9:30 o'clock in the forenoon of that day, or as soon thereafter as counsel may be heard, why an order and judgment should not be made and entered, pursuant to New York Civil Practice Law and Rules § 7503, and the United States Arbitration Act, 9 U.S.C. ¶ 1 et seq. compelling Respondents to arbitrate Petitioner's Demand for

Arbitration now pending before the American Arbitration Association pursuant to ¶ 17 of the parties' Booking Agreement; and it is further

*for the relief sought in the petition*  
~~ORDERED that, pending the hearing and determination of this petition, Respondents shall continue to participate in proceedings before the American Arbitration Association in Petitioner's Demand for Arbitration, subject to their continuing obligation to do so; and it is further~~


~~ORDERED that pending the hearing and determination of this petition, Respondents are preliminarily enjoined from maintaining or continuing any civil action regarding the subject matter and disputes asserted in Petitioner's Demand for Arbitration; and it is further~~

ORDERED that personal service of a copy of this Order to Show Cause, together with copies of the papers upon which it is based upon Respondents Theatrical Arts International, Inc. and Theatrical Arts International Foundation, c/o their registered agent for service of process, Robert Abramoff, 20501 Ventura Blvd. #262, Woodland Hills, California 91364, or upon their

legal counsel, John G. Burgee, Esq., Burgee & Abramoff, P.C., 20501 Ventura Boulevard, Suite 262, Woodland Hills, California 91364, in hand, by facsimile, or by electronic transmission, on or before the 4<sup>th</sup> day of August, 2006, shall be deemed good and sufficient service; and it is further

**ORDERED** that answering papers, if any, shall be served, by hand, by fax to 212-974-8474, or by electronic delivery of copies thereof in PDF format upon Al J. Daniel, Jr., Esq., [adaniel@cdas.com](mailto:adaniel@cdas.com), Cowan, DeBaets, Abrahams & Sheppard LLP, attorneys for Petitioner, no later than 5:00 p.m. on 9<sup>th</sup> August, 2006.

ENTER:

  
\_\_\_\_\_  
J.S.C.

**ORAL ARGUMENT  
DIRECTED**

  
\_\_\_\_\_  
J.S.C.

**HON. CHARLES E. RAMOS**